

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

MITCH BRODSKY,

Plaintiff,

v.

SPENCER ABRAHAM, Secretary,  
Department of Energy,

Defendant.

2:04-CV-569 JCM (GWF)

Date: N/A

Time: N/A

**ORDER**

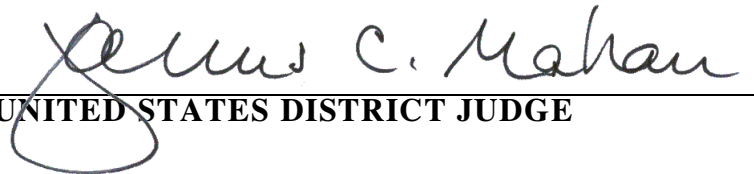
Presently before the court are the report and recommendations (#45) of United States Magistrate Judge George Foley recommending that plaintiff's claim for emotional distress damages be stricken, that plaintiff serve fully executed and verified answers to interrogatories on or before September 1, 2006, and that discovery shall be reopened until October 1, 2006. Local Rule IB 3-2 states that any party wishing to object to the report and recommendation shall file a written objection within ten (10) days of receipt. No objections were filed.

Plaintiff alleges emotional distress arising from harassment in the workplace, causing him to seek medical and mental health care treatment. On April, 17, 2006, the court issued an order (#28) compelling plaintiff to produce his medical and mental health records. Plaintiff refused to do so, instead filing supplemental interrogatories not executed pursuant to Fed. R. Civ. P. 33. Plaintiff's supplemental interrogatories are still deficient.

1           Upon review of the magistrate judge's findings and recommendations (#45) and there being  
2 no objections filed,

3           IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Magistrate Judge Foley's  
4 report and recommendations (#45) are AFFIRMED in their entirety.

5           DATED this 9<sup>th</sup> day of March, 2007.

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9           UNITED STATES DISTRICT JUDGE  
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